

REMARKS

By this Amendment, new claims 15-20 (which are patentable for the reasons asserted herein) are added to more fully claim the disclosed invention and a replacement Abstract is submitted in conformance with all necessary requirements. Claims 1-20 are pending.

The Office Action rejected claims 1-14 under 35 U.S.C. 103(a) based on GSM 02.60 (V8.0.0 (1999-03); hereafter "GSM") and Boltz (U.S. 6311055). Applicant traverses the rejection because the cited prior art, analyzed individually or in combination, fail to disclose, teach or suggest the claimed invention and one of ordinary skill in the art would not have combined the teachings of GSM and Boltz as speculated by the Office Action.

**PRIOR ART FAILS TO TEACH OR SUGGEST ALL CLAIM FEATURES**

For example, the cited prior art fails to disclose, teach or suggest the claimed method of providing closed user group service in a mobile communication system enabling packet-switched data services (independent claim 1), a corresponding mobile telecommunications system (independent claim 8) or a network element controlling PTM in a packet radio system (independent claim 14) which utilize closed user group access conditions determined for at least one subscriber belonging to a group, the access conditions comprising at least one of various conditions including right to send/receive packets to/from parties outside the group, right to send/receive packets to/from a part of the group substantially simultaneously without communicating with all members of the group, wherein the access conditions are checked when packets are being sent to/from at least one subscriber, and packet transmission to desired addresses is allowed if the access conditions allow the transmission.

GSM merely discloses a basic description of a GPRS Point-To-Multipoint (PTM) service. As recognized by the Office Action, GSM does not disclose any of the claimed features related to arranging or using access conditions. To remedy these recognized deficiencies, the Office Action referred to Boltz as allegedly disclosing a supplementary service for blocking outgoing circuit-switched calls in a GSM network.

The procedure referred to by the Office Action is illustrated in Figure 3 of Boltz. As explained in connection with Fig. 3, Boltz uses a Supplementary Service (SS) database in the network (e.g., a specific Intelligence Network (IN) node for the HLR) that includes call barring data for a specific mobile subscriber in the form of screening lists of specific

numbers, countries, or area codes associated with a mobile subscriber identifier (e.g., an International Mobile Subscriber Identity (IMSI)).

When a call set-up request is received from a mobile station originating a call, the destination number in the request message is compared to the numbers in the screening data in the SS database. If the destination number (B number) is indicated to be barred for the subscriber based on the screening data, the call is rejected, otherwise the call is established from the GSM network in a conventional manner. In an alternative embodiment, the screening data is stored and the call rejection functionality is provided in the mobile station.

Nevertheless, Boltz speaks only to circuit-switched call barring; thus, there is no indication of arranging any or similar barring functions in a packet-switched network and for transferred packets. Further, Boltz fails to teach or suggest how to arrange PTM packet services or suggest applying any kind of packet transmission/reception barring functions in such a PTM packet system.

Thus, the combined teachings of GSM and Boltz would not provide any packet delivery restrictions in packet delivery systems. Furthermore, the combined teachings of the prior art fail to disclose, teach or suggest any rights to group-based communications. This is because Boltz is limited to barring a point-to-point circuit-switched call between two participants; accordingly one of ordinary skill in the art would have recognized that it would be impossible to apply Boltz's teachings in a PTM packet delivery system where a multicast message may be intended for thousands of receivers.

Further, Boltz fails to disclose, teach or suggest definition of rights related to communications to/from parties outside a group, or to/from a part of the group substantially simultaneously without communicating with all members of the group. In fact, the teachings of Boltz are limited to checking outgoing access blocking; as a result, under the teachings of Boltz, it is not possible to have access conditions determine rights to receive packets. Thus, based on Boltz, it would be impossible, for example, to avoid reception of group messages from one or more group members.

Accordingly, Applicant submits that all pending claims are patentable over the cited prior art.

#### **NO MOTIVATION TO COMBINE THE TEACHINGS OF GSM AND BOLTZ**

Moreover, Applicant traverses the rejection because one of ordinary skill in the art would not have been motivated to combine the teachings of GSM and Boltz as speculated by

the Office Action. The Office Action asserted that one of ordinary skill in the art would have found it obvious to modify GSM's closed groups to include the access conditions of Boltz "because doing so allows for greater call flexibility , as allegedly taught by Boltz, in col. 10, lines 1-4. However, as explained above, Boltz's teachings are limited only to circuit-switched call barring; thus, there is no teaching or suggestion regarding the advisability of arranging any or similar barring functions in a packet-switched network and for transferred packets. Packet data transfer in a packet-switched network, such as in a GPRS network, and circuit-switched calls of a circuit-switched network are technically very different.

In fact, PTM packet transfer is technically, fundamentally different as compared to conventional circuit-switched call establishment between two call participants; as a result, there is no technical basis for combining these very different technologies.

Accordingly, Applicant submits that all pending claims are patentable over the cited prior art.

All rejections and objections having been addressed, Applicants request issuance of a notice of allowance indicating the allowability of all pending claims. If anything further is necessary to place the application in condition for allowance, Applicants request that the Examiner contact Applicants' undersigned representative at the telephone number listed below.

Please charge any fees associated with the submission of this paper to Deposit Account Number 033975. The Commissioner for Patents is also authorized to credit any over payments to the above-referenced Deposit Account.

Respectfully submitted,

PILLSBURY WINTHROP SHAW PITTMAN LLP



CHRISTINE H. MCCARTHY

Reg. No. 41844

Tel. No. 703 770.7743

Fax No. 703.770.7901

Date: May 5, 2006  
P.O. Box 10500  
McLean, VA 22102  
(703) 770-7900